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## UNITED STATES DISTRICT COURT

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Northern District of California

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WELLS FARGO BANK, N.A.,

No. C 13-1185 MEJ

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Plaintiff,

**ORDER TO SHOW CAUSE**

8

v.

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KENNETH HOFFMAN and DIANE  
HOFFMAN,

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Defendants.

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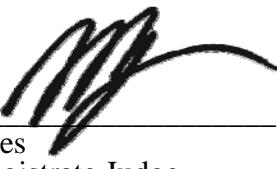
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1 *of the State of Montana*, 213 F.3d 1108, 1113 (9th Cir. 2000); *see also Valles v. Ivy Hill Corp.*, 410  
2 F.3d 1071, 1075 (9th Cir. 2005) (“A federal law defense to a state-law claim does not confer  
3 jurisdiction on a federal court, even if the defense is that of federal preemption and is anticipated in  
4 the plaintiff’s complaint.”). Thus, any anticipated defense, such as a claim under the Protecting  
5 Tenants at Foreclosure Act (“PTFA”), Pub.L. No. 111-22, § 702, 123 Stat. 1632 (2009), is not a valid  
6 ground for removal. *See e.g. Aurora Loan Services, LLC v. Montoya*, 2011 WL 5508926, at \*4  
7 (E.D.Cal. Nov. 9, 2011); *SD Coastline LP v. Buck*, 2010 WL 4809661, at \*2-3 (S.D.Cal. Nov.19,  
8 2010); *Wescom Credit Union v. Dudley*, 2010 WL 4916578, at 2-3 (C.D.Cal. Nov. 22, 2010); *Aurora*  
9 *Loan Services, LLC v. Martinez*, 2010 WL 1266887, at \* 1 (N.D.Cal. March 29, 2010).

10 The June 13, 2013 Case Management Conference is VACATED.

11 **IT IS SO ORDERED.**

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13 Dated: June 4, 2013

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Maria-Elena James  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

4 | WELLS FARGO BANK, N.A.,

No. C 13-01185 MEJ

**Plaintiff(s),**

## **CERTIFICATE OF SERVICE**

V.

KENNETH HOFFMAN,

**Defendant(s).**

10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

11 That on June 4, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said  
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located  
in the Clerk's office.

15 Kenneth and Diane Hoffman  
1274 Lawrence Road  
16 Danville, CA 94506

18 | Dated: June 4, 2013

Richard W. Wiking, Clerk  
By: Rose Maher, Deputy Clerk